

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, JANUARY 17, 2002
8:15 A.M.**

Commissioners Present: Bob Workman, Chair
Kathy Campbell
Larry Hudkins
Ray Stevens

Commissioners Absent: Bernie Heier, Vice Chair

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Dave Johnson, Deputy County Attorney
Bruce Medcalf, County Clerk
Trish Owen, Deputy County Clerk
Ann Taylor, County Clerk's Office

The Staff Meeting was called to order at 8:18 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF TUESDAY, JANUARY 15, 2002

MOTION: Campbell moved and Stevens seconded approval of the Staff Meeting minutes dated January 15, 2002. Campbell, Workman and Stevens voted aye. Hudkins was absent from voting. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Monthly Meeting with Mayor Wesely
- B. Meeting with Kawasaki Motors to Discuss Wildrose Lane
- C. Public Building Commission (Board Member Meeting Report)
- D. Joint Budget Committee (Board Member Meeting Report)
- E. Keno Prevention Advisory Committee (Board Member Meeting Report)
- F. Meeting on Proposed Ethanol Plant
- G. Open House Regarding Salt Creek Tiger Beetle

MOTION: Campbell moved and Stevens seconded approval of the additions to the agenda. Campbell, Workman and Stevens voted aye. Hudkins was absent from voting. Motion carried.

ADDITIONS TO THE AGENDA

A. Monthly Meeting with Mayor Wesely

Campbell reported that the following topics were discussed:

- Tour of the jail
- Joint meeting with the City Council and Board of Education
- Recommendations from the Lincoln-Lancaster County Ecological Advisory Committee
- Concerns expressed by the downtown hotels with regards to the Lincoln Convention and Visitors Bureau (CVB)
- Sports tournaments
- Interlocal agreement for the care of City prisoners in the jail
- Salt Creek Valley warning system

B. Meeting with Kawasaki Motors to Discuss Wildrose Lane

Campbell reported that Kawasaki Motors supports having two railroad crossings (the existing crossing on Wildrose Lane and a crossing on the road that will link Southwest 12th to the Kawasaki Motor plant) to better serve traffic entering and exiting the plant. A follow-up meeting is planned with the Burlington Northern/Santa Fe Railroad representatives.

F. Meeting on Proposed Ethanol Plant

Workman reported on a meeting held to discuss a proposal to locate an ethanol plant on the county line between Lancaster and Cass Counties.

G. Open House Regarding Salt Creek Tiger Beetle

Eagan said the open house will be held from 4-6 p.m. on February 12, 2002 at the Lower Platte South Natural Resources District (NRD) offices, 3125 Portia Street. Representatives from the Planning Department and NRD will be present to provide information and answer questions.

Hudkins arrived at 8:32 a.m.

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant; Amy Prenda, Director of Legal Research and Analysis for Kissel/E&S Associates

Gordon Kissel, Legislative Consultant, reviewed the following documents (Exhibit A):

- *Legislative Update*
- *Lancaster County Legislative Proposals, 2002 Legislative Session*

- *Legislative Session 2002* (Summary of legislative bills of interest to Lancaster County)

In response to a request from Hudkins, Kissel reviewed Legislative Bill (LB) 1007 which changes provisions relating to motor vehicle towing and storage costs.

MOTION: Hudkins moved and Stevens seconded to ask Terry Wagner, Lancaster County Sheriff, to review LB 1007 and recommend whether to support the bill. Stevens, Campbell, Hudkins and Workman. Motion carried.

Campbell noted receipt of a letter from Governor Johanns regarding implementation of a reduction in nursing facility reimbursement for the care of patients with the lowest acuity levels (Exhibit B). She suggested further follow-up with Larry Van Hunnik, Lancaster Manor Administrator, to see whether he has been able to administratively work through the reduction with the Nebraska Department of Health and Human Services (HHS). The Board also requested a recommendation from Van Hunnik on how to respond to Governor Johann's letter.

MOTION: Hudkins moved and Stevens seconded to send a letter, with signature by the Board, to Governor Johanns expressing gratitude for his emphasis on juvenile justice. Stevens, Campbell, Hudkins and Workman voted aye. Motion carried.

Workman noted there has been discussion of allowing some county elected offices to become appointed, rather than elected, due to their administrative and technical nature.

Kissel said the timing is not right to introduce such legislation.

Campbell suggested further discussion of the issue at the Mid-Year Budget Retreat and suggested input from the Nebraska Association of County Officials (NACO).

Dennis Keefe, Public Defender, appeared and reported a recommendation from the Indigency Screener Advisory Committee to not pursue specific legislation this session for recoupment of costs for indigents receiving court appointed counsel, rather to ask a senator to sponsor an interim study resolution in the 2002 Legislative Session with possible introduction of legislation in the following legislative session (see agenda packet).

NOTE: The following documents were also included in Exhibit A:

- LB 1034 (prohibits extreme or ultimate fighting)
- 2002 Legislative Committees
- Governor Johanns' State of the State Address

4 COUNTY ATTORNEY TRIAL PREPARATION SOFTWARE - Gary Lacey, County Attorney; Pat Condon, Deputy County Attorney; Jolene Seachord, County Attorney's Office; Dennis Keefe, Public Defender

Gary Lacey, County Attorney, requested authorization to purchase a WinForce Technologies Case Information Management Solutions software package for the County Attorney's Office from the Microcomputer Fund. He said the initial start-up cost will be \$14,071.79 for four attorneys and two support staff, with an annual cost of \$405 for license maintenance and upgrades and for server maintenance (Exhibit C).

Pat Condon, Deputy County Attorney, explained that WinForce will provide attorneys and support staff the ability to:

- Scan documents
- Conduct specific or case wide searches
- Create subpoenas and discovery documents
- Track filings and motions

Condon said WinForce also plans to incorporate Sanction II, a presentation program. He said this will allow digital photographs to be entered and video to be digitalized into a searchable format and synchronized with transcript.

Dennis Keefe, Public Defender, said he supports the need for a case management system and said his office could use the case management system for major felony cases.

In response to a question from Stevens, Lacey said WinForce would utilize 5% of the space on the Lancaster County Juvenile Detention Center's server, at a cost of \$372.

Board consensus was to hold the request until the Mid-Year Budget Review.

5 LEXIS/NEXIS LEGAL RESEARCH SYSTEM - Dennis Keefe, Public Defender; Gary Lacey, County Attorney

Dennis Keefe, Public Defender, explained that the City and County currently have a month to month contract with Westlaw for CD ROM and enhanced on-line legal research. City and County users of Westlaw, including the judiciary, have evaluated the cost of this service (a basic cost of \$22,625.28 for the CD ROM and additional costs to access the Westlaw data base on-line) and a flat rate proposal from Lexis/Nexis. He said the users have recommended that the City and County terminate their contract with Westlaw and enter into a contract with Lexis/Nexis. Keefe reviewed a chart of current monthly charges and proposed monthly charges (Exhibit D) and said the County will save approximately \$40,000 per year in reduced electronic research costs and reduced book costs for the jail library, a total savings of \$120,000 for the three year term of the proposed contract.

In response to a question from Stevens, Keefe said costs will be shifting from the City to the County, as the City utilized Westlaw's on-line research to a greater extent.

MOTION: Campbell moved and Hudkins seconded to concur with the users' recommendation and to request the County Attorney's Office to proceed with development of a contract with Lexis/Nexis. Hudkins, Campbell, Workman and Stevens voted aye. Motion carried.

6 MISCELLANEOUS EXPENDITURES RESOLUTION - Diane Staab, Deputy County Attorney; Tim Genuchi, Accounting Operations Manager for the County Clerk's Office

Diane Staab, Deputy County Attorney, reviewed a draft of a resolution adopting a policy governing the expenditure of public funds for payment or reimbursement of actual and necessary expenses incurred by county elected officials, appointed officials, employees and volunteers (see agenda packet).

The Board requested the following changes:

- *Section I, Subsection A2* - Reference Nebraska Revised Statute §81-1176, rather than specifying the mileage reimbursement rate
- *Section I, Subsection B2* - Establish a daily per diem for meal expenses not to exceed \$30 for most localities and not to exceed \$38 for areas designated as high cost localities by the Internal Revenue Service (IRS) and for travel outside the Continental United States, unless there is prior approval of a higher rate from the department head
- *Section II, Subsection B3* - Include the phrase "per award" following each monetary amount
- *Section II, Subsection B4* - State monetary limit

MOTION: Hudkins moved and Stevens seconded to direct the County Attorney's Office to prepare a resolution and to schedule a public hearing on the County Board of Commissioners meeting agenda. Hudkins, Campbell, Workman and Stevens voted aye. Motion carried.

7 PENDING LITIGATION - Mike Thew, Chief Deputy County Attorney

MOTION: Campbell moved and Stevens seconded to enter Executive Session at 10:08 a.m. for discussion of pending litigation. Campbell, Workman and Stevens voted aye. Hudkins was absent from voting. Motion carried.

MOTION: Hudkins moved and Campbell seconded to exit Executive Session at 10:27 a.m. Hudkins, Campbell and Workman voted aye. Stevens was absent from voting. Motion carried.

ADDITIONS TO THE AGENDA

C. Public Building Commission (Board Member Meeting Report)

Campbell said discussion focused on the Master Plan, Parking Study recommendations and security issues.

D. Joint Budget Committee (Board Member Meeting Report)

Campbell reported the following:

- Report was given on the Community Learning Center concept
- United Way of Lincoln-Lancaster County has sent a letter of formal termination to the Malone Community Center
- City is exploring a Single Room Only (SRO) housing project
- Request for \$10,000 in matching funds for the Aging Survey was referred to the Keno Prevention Advisory Committee

E. Keno Prevention Advisory Committee (Board Member Meeting Report)

Stevens reported that funding totaling \$48,000 was approved for 16 different agencies.

Board members expressed concern regarding the Keno Prevention Advisory Committee's recommendation to use the Human Services Endowment Fund to fund the request for \$10,000 in matching funds for the Aging Survey.

8 PHOTOGRAPH IDENTIFICATION SYSTEM; EMERGENCY MANAGEMENT DIRECTOR JOB DUTIES - Doug Ahlberg, Emergency Management Director

Photo Identification System

Doug Ahlberg, Emergency Management Director, requested authorization to purchase a portable photograph identification system with State Local Assistance (SLA) funds, at a cost of \$3,440. He said other departments will be able to utilize the equipment.

MOTION: Hudkins moved and Stevens seconded to authorize Doug Ahlberg, Emergency Management Director, to purchase the portable photograph identification system. Hudkins, Campbell, Stevens and Workman voted aye. Motion carried.

Emergency Management Director Job Duties

The Board reviewed the job description with Ahlberg.

9 PENSION VESTING SCHEDULE - Georgia Glass, Personnel Director;
Doug Cyr, Deputy County Attorney

Georgia Glass, Personnel Director, said the Economic Growth and Tax Relief Reconciliation Act of 2001 requires private pension plans to limit their vesting period to five years. She recommended that the County change its vesting period from seven to five years to remain competitive with the private sector. Glass noted that most turnover occurs within the first three years of employment.

In response to a question from Stevens, Doug Cyr, Deputy County Attorney, said the County could provide incremental vesting beginning the third year (1/3 vested Year 3, 2/3 vested Year 4 and 100% vested Year 5) or "cliff" vesting (100% vested at Year 5).

Hudkins questioned the financial impact of changing the vesting period.

Cyr said a cost benefit analysis is needed. He said the County Clerk's Office reviewed forfeitures for the period of September, 2000 to September, 2001 and reported that they totaled \$96,353. Cyr noted that forfeitures are used to offset the County's future contributions to the pension plan. He said there would have been a \$33,380 fiscal impact to the County if a five year vesting schedule been in place for that 12 month period and said an accelerated vesting schedule for Years 1-5 would have had additional fiscal impact.

The Board requested additional information on fiscal impact.

10 COUNTY PROPERTY MANAGER JOB DUTIES - Don Killeen, County
Property Manager

Don Killeen, County Property Manager, presented a revised job description and *Goals and Objectives, 2002* (Exhibit E).

In response to a question from Campbell, Killeen said City Public Works/Utilities will be the primary tenant in the Nash Finch building, if it is acquired. He said the cost is still being assessed.

The Board asked Killeen to update the County departments that have expressed a need for storage space and asked that Commissioners Stevens and Heier be included in a tour of the building.

11 POTENTIAL LITIGATION - Don Killeen, County Property Manager

MOTION: Hudkins moved and Campbell seconded to enter Executive Session at 11:15 a.m. for discussion of potential litigation. Hudkins, Campbell, Workman and Stevens voted aye. Motion carried.

MOTION: Hudkins moved and Stevens seconded to exit Executive Session at 11:28 a.m. Hudkins, Campbell, Workman and Stevens voted aye. Motion carried.

12 HIRING OF ELOISE CARRICO AS CONSULTANT TO DISTRICT COURT CLERK - Kelly Moore Guenzel Handlos, Clerk of the District Court; Sam Van Pelt, Chief Deputy Clerk of the District Court

Dave Johnson, Deputy County Attorney, requested that the Board enter Executive Session for discussion of potential litigation with regards to this item.

MOTION: Campbell moved and Stevens seconded to enter Executive Session at 11:39 a.m. for discussion of potential litigation. Hudkins, Campbell, Workman and Stevens voted aye. Motion carried.

MOTION: Hudkins moved and Stevens seconded to exit Executive Session at 12:10 p.m. Hudkins, Campbell, Workman and Stevens voted aye. Motion carried.

13 ACTION ITEMS

- A. Letter to Hotels Regarding Lincoln/Lancaster County Convention and Visitors Bureau (CVB)

The Board reviewed a draft of a letter to hotel owners responding to their concern that the Lincoln/Lancaster County Convention and Visitors Bureau (CVB) is not doing enough to attract visitors to the community (Exhibit F).

Hudkins said the major hotels also want representation on the Visitors Promotion Committee (VPC).

Campbell noted that this committee is advisory to the County Board and the Board makes the appointments.

MOTION: Campbell moved and Stevens seconded to authorize the Chair to sign the letter on behalf of the County Board. Hudkins, Campbell, Stevens and Workman voted aye. Motion carried.

- B. Microcomputer Request, C#2002-2009, \$2,769.48 from Families First & Foremost (F³) for Compaq Pentium IV, 17" Monitor and Software

The Board held the item and requested a report from Families First & Foremost (F³), including whether a police report and insurance claim were filed on the stolen laptop computer.

- C. Microcomputer Request, C#2002-2015, \$2,159.51 from Families First & Foremost (F³) for One (1) HP4100 Laser Printer, One (1) HP2100 Laser Printer, and Two (2) HP170X Single Port Print Servers

MOTION: Campbell moved and Hudkins seconded approval. Stevens, Hudkins, Workman and Campbell voted aye. Motion carried.

14 CONSENT ITEMS

- A. Authorize Kerry Eagan, Chief Administrative Officer, to Sign Five (5) Proxies from Janus Investment Fund

MOTION: Stevens moved and Campbell seconded approval. Stevens, Workman, Campbell and Hudkins voted aye. Motion carried.

15 ADMINISTRATIVE OFFICER REPORT

- A. Committee Assignments

The Board reviewed *Committee Assignments -2001* (Exhibit G) and made the following changes:

- Designate Workman as Chairman of Board of Equalization and Leasing Corporation, rather than Campbell
- Designate Heier as Vice Chairman of Board of Equalization and Leasing Corporation, rather than Workman
- Designate Heier as the Chair, rather than Vice Chair, of City-County Common
- Remove Campbell from the Officials Committee and add Heier
- Remove Campbell from the Lincoln Partnership for Economic Development, designate Workman as the representative and designate Heier as the alternate
- Add Hudkins and Stevens as alternates to the Lancaster County Fairgrounds Joint Public Agency
- Remove Workman from the Lancaster Manor Advisory Committee and add Hudkins
- Remove Stevens from the Families First & Foremost (F³) Conveners Group
- Add Stevens as alternate to the Region V Governing Board
- Remove Resource Conservation and Development and Air Pollution Advisory Committee from the list

B. Applicant Tracking System Update

Gwen Thorpe, Deputy Chief Administrative Officer, recommended that the County participate in funding the cost of the Requirement Study for the Personnel Department's applicant tracking system, noting consideration will be given to the County Clerk's new TRIM Electronic Recordkeeping System.

MOTION: Campbell moved and Stevens seconded to accept the recommendation. Hudkins, Campbell, Workman and Stevens voted aye. Motion carried.

C. Management Team Meeting, February 14, 2002

The Board requested a presentation from Joyce Hall and Larry Eckel, Nationwide Retirement Solutions.

D. Recognition Plaque for Youth Services Center

The Board reviewed a proposal for the recognition plaque that will be placed in the Youth Services Center (Exhibit H) and asked that the content be consistent with the plaque that was placed in the Justice and Law Enforcement Center.

E. Recommendations from Lincoln-Lancaster County Ecological Advisory Committee

Item held.

F. Financing Purchase of Vehicle for the Community Mental Health Center

Dave Kroeker, Budget and Fiscal Officer, appeared and suggested that a Nebraska Association of County Officials (NACO) lease be utilized for this purchase (a vehicle for case managers) and a 15 passenger van that was recently approved for the Community Mental Health Center. The cost of the vehicle for the case managers will be reimbursed with tobacco settlement funds, over a two year period.

MOTION: Hudkins moved and Stevens seconded to authorize Dave Kroeker, Budget and Fiscal Officer, to contact the Nebraska Association of County Officials regarding lease arrangements. Hudkins, Campbell, Workman and Stevens voted aye. Motion carried.

G. Nebraska Association of County Officials (NACO) Workshop in Kearney, Nebraska, February 6-8, 2002

Board members will be unable to attend, due to a scheduling conflict.

H. Inclusion of County Engineering's Remote Facilities in Space Study

Board consensus was to exclude County Engineering's remote facilities from the Space Study.

I. Electronic Distribution of Staff Meeting Agendas and Minutes

Cori Beattie, County Board Administrative Secretary, appeared and suggested that Staff Meeting agendas and minutes be distributed in electronic, rather than paper form, with the exception of those distributed to the County Board, County Clerk's Office and County Attorney.

The Board approved the change and asked Beattie to apprise individuals on the mailing list of the change.

J. Website Update

Thorpe reported on a meeting held with County elected and appointed officials and the web assistants to discuss recent changes to the website. She distributed a list of questions and concerns that were brought up in that discussion (Exhibit I).

The Board asked Information Services to provide a written proposal, standards and cost estimate for a County website that can be linked to a joint City/County home page.

16 ADJOURNMENT

MOTION: Stevens moved and Hudkins seconded to adjourn the meeting at 1:09 p.m. Hudkins, Campbell, Workman and Stevens voted aye. Motion carried.

Bruce Medcalf
County Clerk